

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

FRONTIER FISHING CORP.,)	
)	
Plaintiff,)	
v.)	
)	CIVIL ACTION
DONALD EVANS, Secretary of the)	
UNITED STATES DEPARTMENT OF)	NO. 04-11171-DPW
COMMERCE; and CONRAD C.)	
LAUTENBACHER JR., Under Secretary)	
for Oceans and Atmosphere / Administrator,)	
)	
Defendants.)	
_____)	

GOVERNMENT’S MOTION FOR ADDITIONAL TIME TO RESPOND

On August 16, 2006, Plaintiff filed a Motion For Order of Contempt , requesting that the government be held in contempt for declining to return the fine of \$35,000 that NOAA imposed on Plaintiff in connection with the violation in this case. The government intends to oppose the motion, since, among other reasons, the Court has never ordered the government to return the fine to Plaintiff and Plaintiff has never requested that the Court do so. However, the NOAA attorneys most familiar with the case and with NOAA’s procedures with respect to administrative fines, are away from the office on vacation until next week, and the undersigned has planned to be away until September 7, 2006. Accordingly, the government requests that the Court grant an extension of two weeks to respond and permit the filing of the government’s opposition up to and until September 14, 2006.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Anita Johnson
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Certificate of Service and Rule 7.1 Conference

I hereby certify that I have conferred with counsel for Plaintiff, Stephen M. Ouellette, and he opposes this motion and opposes any extension whatsoever, and I certify that the foregoing will be served upon Mr. Ouellette by electronic transmission, on this 28th day of August 2006.

/s/ Anita Johnson